

Senate File 2342

H-8263

Amend Senate File 2342, as amended, passed, and reprinted by the Senate, as follows:

1. Page 17, after line 33 by inserting:

<Sec. _____. NEW SECTION. 22.13A Personnel settlement agreements — executive branch employers.

1. For purposes of this section:

a. "Executive branch employer" means the executive branch of state government, which includes any unit of state government, including but not limited to an authority, board, commission, committee, council, department, or independent agency as defined in section 7E.4, each principal central department enumerated in section 7E.5; the office of the governor; and the office of an elective constitutional or statutory officer.

b. "Personnel settlement agreement" means a binding legal agreement between an employee and the employee's executive branch employer to resolve a personnel dispute including but not limited to a grievance. "Personnel settlement agreement" does not include an initial decision by an employee's immediate supervisor concerning a personnel dispute or grievance.

2. a. For personnel settlement agreements with an employee of an executive branch employer, excluding an employee of an elective constitutional or statutory officer or an employee of the state board of regents or institution under the control of the state board of regents, the personnel settlement agreement shall, to the extent consistent with any provision of an applicable collective bargaining agreement, be reviewed and approved as to form by the attorney general or by the attorney general's designee, and approved by the director of the department of management, the director of the department of administrative services, and the head of the agency involved with the matter at issue.

b. For personnel settlement agreements with an employee of the state board of regents or institution under the control of the state board of regents, the personnel settlement agreement shall, to the extent consistent with any provision of an applicable collective bargaining agreement, be reviewed and approved as to form by the attorney general or by the attorney general's designee, and approved by the executive director of the state board of regents and the head of the institution involved with the matter at issue.

c. For personnel settlement agreements with an employee of an elective constitutional or statutory officer, the personnel settlement agreement shall, to the extent consistent with any provision of an

1 applicable collective bargaining agreement, be reviewed
2 and approved as to form by the attorney general or by
3 the attorney general's designee, and approved by the
4 applicable elected constitutional or statutory officer.

5 d. For personnel settlement agreements with an
6 employee of an executive branch employer subject to
7 review and approval pursuant to the requirements of a
8 collective bargaining agreement that are inconsistent
9 with the requirements of this subsection, a report on
10 the personnel settlement agreement shall be provided to
11 those persons who would otherwise review or approve the
12 personnel settlement agreement for that employee.

13 3. Personnel settlement agreements shall not
14 contain any confidentiality or nondisclosure provision
15 that attempts to prevent the disclosure of the
16 personnel settlement agreement.

17 4. All personnel settlement agreements shall be
18 made easily accessible to the public on an internet
19 site maintained as follows:

20 a. For personnel settlement agreements with an
21 employee of an executive branch employer, excluding an
22 employee of an elective constitutional or statutory
23 officer or an employee of the state board of regents
24 or institution under the control of the state board of
25 regents, by the department of administrative services.

26 b. For personnel settlement agreements with an
27 employee of the state board of regents or institution
28 under the control of the state board of regents, by the
29 state board of regents.

30 c. For personnel settlement agreements with an
31 employee of an elective constitutional or statutory
32 officer, by the applicable elected constitutional or
33 statutory officer.>

34 2. Page 18, by striking lines 28 and 29 and
35 inserting:

36 <Sec. _____. APPLICABILITY. The following provision
37 of this division of this Act applies retroactively to
38 July 1, 2013:

39 1. The provision of this division of this Act
40 making an appropriation to the auditor of state.>

41 3. By renumbering as necessary.

HUNTER of Polk